

REMARKS

I. Status of the Claims

Claims 1-41 were pending in the application prior to this amendment. All of the aforementioned claims have been rejected by the Examiner.

Claims 1, 15, 21, 35 and 41 have been amended in this response. No new matter has been introduced, and thus, entry and consideration of this amendment is now respectfully requested.

II. Rejections Under 35 U.S.C. §102(b) and §103(a):

Claims 1, 21 and 41 have been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 6,026,289 to Zellner, et al. (hereafter “Zellner”).

Claims 2-9, 11, 13-17, 22-28 and 35-37 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Zellner in view of US 2005/0262542 to DeWeese, et al (hereafter, “DeWeese”).

Claims 10, 12, 18-20, 29-34 and 38-40 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Zellner in view of DeWeese and further in view of US 2001/0005182 to Aaltonen (hereafter, “Aaltonen”).

Applicants respectfully request reconsideration of the pending claims in view of the amendments now presented herein. For example, independent claim 1 has been amended for further clarification to recite, *inter alia*:

- 1.(Currently Amended) A method comprising:
 - hosting a first user and a second user;
 - transmitting a broadcast service to said first user;
 - receiving a broadcast request from said second user, said broadcast request requesting said broadcast service;
 - transmitting said broadcast service to said second user; and
 - establishing a connection between the first user and the second user prior to receiving the broadcast request from the second user.**

Amended independent claim 1 clearly sets forth, *inter alia*, that a second user who is connected to a first user requests a broadcast service that is being transmitted to the first user. In response, the second user receives the broadcast service which is being transmitted to the first user. Zellner and DeWeese fail to teach, suggest or disclose such a feature.

Zellner relates to providing wireless broadcast on shared channels in a cellular communications system. The system and method in response to a request from a remote user for broadcast service designates a voice channel as a broadcast channel, disables the quality monitoring for the designated broadcast channel, activates the designated broadcast channel, and instructs the requesting remote user to tune to the designated broadcast channel. Each subsequent requesting remote user is also instructed to tune to the same broadcast channel.

(Abstract)

However, Zellner provides no teaching or suggestion that a connection is established between remote users 26 and 28 as shown in Fig. 1. Based on Fig. 2 of Zellner, there is no connection between remote users 26 and 28. A remote user 26 can request a service independent of the service being transmitted to remote user 28.

Furthermore, the Office Action asserts that “the user is able to send a chat request to all other users currently watching the same television show that the user is tuned into.” However, DeWeese does not teach or suggest that the user who sends a chat request is connected to the users receiving the chat request. Thus, DeWeese provides no teaching or suggestion of establishing a connection between the first user and the second user prior to receiving the broadcast request from the second user.

Furthermore, Aaltonen, relied upon to teach receiving DVB-T signals, neither recites nor implies receiving a broadcast request from a second user for a broadcast service being transmitted to a first user. As a result, Aaltonen does not remedy the discrepancies discussed above with respect to Zellner and DeWeese.

In view of the above, amended independent claim 1 is asserted to be clearly distinguishable from the Zellner, DeWeese and Aaltonen references, taken alone or in combination. Further, independent claims 15, 21, 35 and 41 include at least all of the limitations discussed above with respect to amended claim 1, and are therefore also distinguishable. The remaining claims depend from these independent claims, and therefore, are also distinguishable. Applicants therefore respectfully request that the rejections of claims 1-41 now be withdrawn.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of the application.

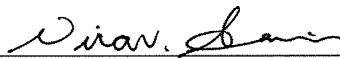
AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 4208-4050. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 4208-4050. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: September 25, 2008

By: 
Nirav S. Amin
Registration No. 60,884
(212) 415-8700 Telephone
(212) 415-8701 Facsimile

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of the application.

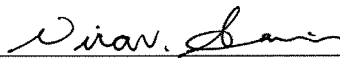
AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 4208-4050. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 4208-4050. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: September 25, 2008

By: 
Nirav S. Amin
Registration No. 60,884
(212) 415-8700 Telephone
(212) 415-8701 Facsimile

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101